



## APPLICANT'S GUIDE TO AN ADMINISTRATIVE PERMIT FOR BOUTIQUE WINERIES

These guidelines provide information on how to apply for an Administrative Permit for Boutique Winery use. Review the attached Zoning Ordinance excerpts to determine where and under what restrictions this use is allowed. Please be sure to read ALL of the information in this Guide and application package forms.

OPTIONAL: Contact the Department of Planning and Land Use to set-up a pre-application meeting to determine the processing requirements and to discuss project specifics with various departments prior to formally submitting an application. To schedule a pre-application meeting, contact the Department of Planning and Land Use Zoning Information Counter at (858) 565-5981. Note: There is a fee for a pre-application meeting.

### FILING REQUIREMENTS

Complete the following forms:

- |    |                                             |                               |
|----|---------------------------------------------|-------------------------------|
| 1. | Discretionary Permit Application            | DPLU#346                      |
| 2. | Supplemental Application                    | DPLU#346S <sup>1</sup>        |
| 3. | Ownership Disclosure                        | DPLU#305                      |
| 4. | Evidence of Legal Parcel                    | DPLU#320                      |
| 5. | Plan Check Pre-App Notice                   | DPLU#581                      |
| 6. | Complete Public Notice Package              | DPLU#514, #515, #516 and #524 |
| 7. | Service Availability Letters                | DPLU#399                      |
| 8. | Acknowledgement of Filing Fees and Deposits | DPLU#126                      |

Include also:

9. TEN copies of your detailed plot plan. See DPLU#90A – Typical Plot Plan. The plan MUST be drawn to engineer's scale. Plot plan enlargements or reductions will not be accepted.
10. TEN sets of elevation drawings or sketches of EACH of the FOUR SIDES of the proposed tasting room structure.
11. Application fee. See fee schedule for amount on form DPLU #369.
12. Information and photographs demonstrating that there is a productive vineyard on the site of the proposed Boutique Winery that meets the fruit-origin requirements stated in Section 1735.e. The information in the application should detail where the fruit used in wine making comes from and how much fruit is grown on the premises of the Boutique Winery.

**IMPORTANT NOTE: The plot plans and elevations must be folded no larger than 8 1/2" x 11" with the lower right hand corner exposed.**

<sup>1</sup>This form will be "speaking" for you, so it is very important that your project is described in complete detail. For example specify the use, square footage, height, etc. of the proposed and existing structures.

## EXCERPTS FROM THE ZONING ORDINANCE BOUTIQUE WINERY

### Section 1735:

#### 1735 PACKING AND PROCESSING.

Packing and Processing refers to packing and processing of fresh agricultural products and does not include cooking, canning, tanning, rendering and reducing operations which are general industrial uses. Following are categories of Packing and Processing use types:

- a. Packing and Processing: Limited. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on the same premises as the packing and processing operation.
- b. Packing and Processing: General. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- c. Packing and Processing: Support. Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- d. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A Winery may also include a tasting room and retail outlet as secondary uses.
- e. **Packing and Processing: Boutique Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of up to 12,000 gallons of wine per year. Of the total fruit used in winemaking: a minimum of 50% shall be grown within San Diego County, a minimum of 25% shall be grown on the premises and a maximum of 50% may be grown outside of San Diego County. A Boutique Winery may also include a tasting room and retail outlet as secondary uses.**
- f. Packing and Processing: Wholesale Limited Winery. Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of wine from fruit grown on or off the premises, subject to the following criteria.
  1. On-site sales to the public, tasting rooms, and/or special events associated with the winery operation are prohibited. Internet sales, phone sales and mail-order sales are allowed.
  2. The maximum floor area of non-residential structure(s) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking is limited to 1,000 square feet where the lot is less than one gross acre. A maximum floor area of 1,500 square feet is permitted where the lot is one acre or more but less than 2 acres gross, and 2,000 square feet of floor area is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres, up to a maximum of 5,000 square feet.
  3. Up to 75 percent of the fruit used in winemaking may be imported from off the premises while the remainder shall be grown on the premises.
  4. Wine production shall be limited to not more than 7,500 gallons annually.

## **Section 6910: Required Findings**

Before an Administrative Permit is approved to allow a Boutique Winery, the following findings must be made, supported by facts and evidence, as required by Zoning Ordinance Section 6910. If not provided in the project application, DPLU may ask for additional information to provide the required facts and evidence.

### **6910 BOUTIQUE WINERIES**

- a. An Administrative Permit for a Packing and Processing: Boutique Winery may be approved in accordance with the Administrative Permit Procedure commencing at Section 7050 if it is found:
  1. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
    - a) Harmony in scale, bulk, coverage and density;
    - b) The availability of public facilities, services and utilities;
    - c) The harmful effect, if any, upon desirable neighborhood character;
    - d) The generation of traffic and the capacity and physical character of surrounding streets;
    - e) The suitability of the site for the type and intensity of use or development which is proposed; and to
    - f) Any other relevant impact of the proposed use; and
  2. That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan; and
  3. That the requirements of the California Environmental Quality Act have been complied with.

### **Section 6910 b:**

#### **b. NOTICE TO PROPERTY OWNERS**

Notice shall be given to owners of property within 300 feet of the exterior boundaries of the proposed Boutique Winery and a minimum of 20 different owners pursuant to Section 7060c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060 d.

It is the applicant's responsibility to prepare a complete public notice package for the purpose of notifying nearby property owners that an application has been filed. The notice package must include all property within 300 feet of the exterior boundaries of the proposed Boutique Winery **and** a minimum of 20 different property owners. In order to include 20 different property owners it will often be necessary to extend the notice well beyond 300 feet. The complete public notice procedure is explained in form DPLU #516, Applicant's Guide – Preparation of Public Notice Package, included in the

application package. Also refer to DPLU #515 and complete and submit DPLU #514 and #524.

#### **Section 7060 d:**

##### **d. PUBLIC HEARING**

A public hearing shall not be held unless the administering agency determines that such hearing would be in the best interest of the County, or if required by applicable sections of the Zoning Ordinance where a hearing is requested by the applicant or other affected person.

If the County, the applicant or any other affected party requests a hearing, a decision on the application will be made by the Zoning Administrator at a public hearing. If no hearing is requested, a decision on the application will be made by the Director of Planning and Land Use. These decisions may be appealed to the Planning Commission.

### **MISC. INFORMATION**

#### **Events:**

Special events, such as weddings, parties or festivals, are not allowed at a Boutique Winery. These events are allowed only with approval of a Major Use Permit.

#### **Signs:**

One sign, 4 square feet in size, is allowed at a Boutique Winery pursuant to Zoning Ordinance Section 6252.m:

On each lot or parcel, one sign not larger than 4 square feet in size specifying the zone of the property, the uses of such property authorized by this ordinance and/or the fact that a Major or Minor Use Permit has been granted for the use of the property.

Additional area and/or signs cannot be authorized by the Administrative Permit.

#### **Environmental Review:**

The deposit collected for the environmental review portion of the application covers review of an exemption from the California Environmental Quality Act (CEQA). If, after the initial review by DPLU staff, any environmental issues are identified or additional study is needed, the applicant will need to complete additional forms and an additional deposit will need to be made.

#### **Building Permit:**

Building Permits will be required to insure that buildings meet the current Uniform Building Code for commercial buildings. Applicant's should contact the DPLU Building Division at (858) 565-5920 or toll-free at (888) 336-7553 for Code standards and requirements.

## **Department of Environmental Health**

If your property uses a septic system and/or a well for water, you should contact the Department of Environmental Health to determine if they will have any requirements for the Boutique Winery.

### **Service Availability Letters**

To show that there are adequate public facilities to serve the Boutique Winery, the application must include Service Availability Letters from the fire district (DPLU#399F), water district (DPLU#399W) and sewer district if the project will be served by a public sewer (DPLU#399S). The applicant completes the top of the form and then has the service agency complete the bottom. Some agencies charge for completion of these forms. Once the forms are completed by the service agency, they should be submitted with the remainder of the application. Please be aware that service agencies may have requirements and improvements that need to be met and completed before the Boutique Winery can open for business.